

REMARKS

Foreign Priority

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received, is noted with appreciation.

Status Of Application

Claims 1-19 are pending in the application; the status of the claims is as follows:

Claims 1, 3, 16 and 17 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,185,050 B1 to Ota et al ("Ota") in view of U.S. Patent No. 6,411,443 B1 to Kato et al ("Kato").

Claim 2 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ota in view of Kato as applied to claim 1 above, and further in view of U.S. Patent No. 6,292,306 B1 to Betensky ("Betensky").

Claim 7 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,236,512 B1 to Nakai ("Nakai") as applied to claim 6 above, and further in view of Betensky.

Claims 11-15, 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,144,493 to Okuyama et al ("Okuyama") in view of U.S. Patent Publication No. 2003/0011690 A1 to Uryu ("Uryu").

Claims 6 and 8 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nakai.

Claims 4, 5, 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Drawings

The indication, in the Office Action, that the Examiner has no objections to the drawings, is noted with appreciation.

Claim Amendments

Claims 1, 6, 11, 16, and 18 have been amended to more precisely articulate and distinctly claim the invention. These changes do not introduce any new matter.

New Claims

Claims 20-23 have been added to provide a more adequate basis of protection of the invention. Claim 20 corresponds to original claim 4 rewritten in independent form to include all the limitations of the base claim and any intervening claims. Claim 21 corresponds to original claim 5 rewritten in independent form to include all the limitations of the base claim and any intervening claims. Claim 22 corresponds to original claim 9 rewritten in independent form to include all the limitations of the base claim and any intervening claims. Claim 23 corresponds to original claim 10 rewritten in independent form to include all the limitations of the base claim and any intervening claims. No new matter was added. As claims 4, 5, 9, and 10 have been indicated as being allowable if rewritten in independent form to include all the limitations of the base claim plus any intervening claims, new claims 20-23 should thus be allowable as presented.

Allowable Subject Matter

The objection to claims 4, 5, 9 and 10 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, is noted with appreciation.

Claim 1, from which claims 4 and 5 depend, and claim 6, from which claims 9 and 10 depend, have been amended to overcome the rejections cited against them. Arguments in support of allowability of independent claims 1 and 6, and all claims which depend therefrom, are provided below. Consequently, independent claims 1 and 6, and all claims which depend therefrom, are considered to be allowable. Thus, no amendments to claims 4, 5, 9 and 10 have been made.

However, new claims 20-23, which correspond to claims 4, 5, 9, and 10 rewritten in independent form to overcome the objection, have been added. Thus, new claims 20-23 should be in condition for allowance.

Accordingly, it is respectfully requested that the objection to claims 4, 5, 9 and 10 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, be reconsidered and withdrawn.

35 U.S.C. § 102(b) Rejection

The rejection of claims 6 and 8 under 35 U.S.C. § 102(b), as allegedly being anticipated by Nakai, is respectfully traversed based on the following.

Claim 6 recites an imaging lens device comprising:

an imaging lens system that forms an optical image; and
an image sensing device that converts the optical image formed by
said imaging lens system into an electronic signal;
wherein said imaging lens system **consists of**, from an object side
thereof: **a first lens element**, being a positive meniscus lens element
convex to an image side; **an aperture stop**; and **a second lens element**,
being a bi-convex positive lens element.

Thus, the device of claim 6 comprises an imaging lens system which **consists of** only two lens elements and an aperture stop.

While Nakai discloses a lens system composed of two lens elements, this lens system is for use in a laser scanning optical system, and thus has utterly different performance. The optical system of Nakai is a collimator lens designed to handle laser light in a laser scanning optical system. Thus, Nakai cannot be used in any way in imaging lens device like that of the present invention. The reason is that Nakai's lens is configured to offer satisfactory performance only with monochrome light (namely laser light), and only with axial light (rays that image on the optical axis). Thus, Nakai has no reason to include an aperture stop, nor is there any benefit of doing so. Therefore, it cannot be used as a taking lens system. Further, Nakai **does not disclose or suggest** an imaging lens system which **consists of two lens elements and an aperture stop**. Thus, claim 6 is not anticipated by Nakai.

Claim 8 depends from non-anticipated independent claim 6. Thus, as claim 6 is not anticipated by Nakai, claim 8, which depends therefrom, is also not anticipated by Nakai.

Accordingly, it is respectfully requested that the rejection of claims 6 and 8 under 35 U.S.C. § 102(b) as allegedly being anticipated by Nakai, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claims 1, 3, 16 and 17 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Ota in view of Kato, is respectfully traversed based on the following.

Claim 1 recites an imaging lens device comprising:

an imaging lens system that forms an optical image; and
an image sensing device that converts the optical image formed by
said imaging lens system into an electronic signal;
**wherein said imaging lens system consists of two lens elements
and an aperture stop**, each of said lens elements being made of a
homogeneous material and having a positive optical power, and

wherein said imaging lens system fulfills the following condition:
$$1.25 < L / f < 2.00$$

where

L represents a distance from a most object side lens surface to an image plane, said image plane coinciding with the image sensing device; and

f represents an overall focal length of the lens system.

Thus, claim 1 requires that the imaging lens system **consist of** two lens elements and an aperture stop.

As acknowledged on page 2 of the Office Action, Ota does not specifically disclose "the imaging lens system fulfills the following condition $1.25 < L/f < 2.0$; or converts the optical image formed by said imaging lens system into an electronic signal". Further, as acknowledged on pages 2 and 3 of the Office Action, "a modified Ota et al. does not disclose the distance from the lens closes [sic] to the image side the CCD is placed".

Moreover, neither Ota nor Kato disclose or suggest an imaging device comprising an imaging lens system which is composed solely of two lens elements and an aperture stop. The lens systems of Ota and Kato each include many lens elements and are thus much larger in their axial direction than the device of claim 1. This makes the lens systems of Ota and Kato unusable in a small-size imaging lens device, such as in a cell phone. Thus, claim 1 is not obvious with respect to either Ota or Kato, taken singly or in combination. As claim 3 depends from non-obvious independent claim 1, it too is not obvious with respect to either Ota or Kato, taken singly or in combination.

Claim 16 recites in relevant part a telephonic device comprising:

an imaging lens system that forms an optical image; and
an image sensing device that converts the optical image formed by said imaging lens system into an electronic signal;

wherein said imaging lens system consists of two lens elements and an aperture stop, each of said lens elements being made of a homogeneous material and having a positive optical power, and wherein said imaging lens system fulfills the following condition:

$$1.25 < L / f < 2.00$$

where

L represents a distance from a most object side lens surface to an image plane, and said image plane coinciding with the image sensing device; and
f represents an overall focal length of the lens system.

Thus, the telephonic device of claim 16 requires that the imaging lens system **consist** of two lens elements and an aperture stop.

Neither Ota nor Kato disclose or suggest a telephonic device comprising an imaging lens system which is composed solely of two lens elements and an aperture stop. The lens systems of Ota and Kato each include many lens elements and are thus much larger in their axial direction, than the device of claim 16. This makes the lens systems of Ota and Kato unusable in a small-size imaging lens device, such as in a cell phone. Thus, claim 16 is not obvious with respect to either Ota or Kato, taken singly or in combination. As claim 17 depends from non-obvious independent claim 16, it too is not obvious with respect to either Ota or Kato, taken singly or in combination.

Accordingly, it is respectfully requested that the rejection of claims 1, 3, 16 and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ota in view of Kato, be reconsidered and withdrawn.

The rejection of claim 2 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Ota in view of Kato as applied to claim 1 above, and further in view of Betensky, is respectfully traversed based on the following.

Claim 2 depends from independent claim 1, which, as discussed above, is not obvious with respect to either Ota or Kato, either singly or in combination.

Betensky does not disclose or suggest an imaging device comprising an imaging lens system which is composed **solely** of two lens elements and an aperture stop. The lens systems of Betensky includes many lens elements and is thus much larger in the axial direction, than the device of claim 1. Thus, claim 1 is not obvious with respect to Betensky. As none of the cited references disclose or suggest a same limitation as that of

Ota and Kato, no combination of the references would provide the device of claim 1 of the present application. Thus, claim 1 is not obvious with respect to Ota, Kato, or Betensky, taken either singly or in any combination. As claim 2 depends from non-obvious independent claim 1, it too is not obvious with respect to Ota, Kato, or Betensky, taken singly or in any combination.

Accordingly, it is respectfully requested that the rejection of claim 2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ota in view of Kato as applied to claim 1 above, and further in view of Betensky, be reconsidered and withdrawn.

The rejection of claim 7 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Nakai as applied to claim 6 above, and further in view of Betensky, is respectfully traversed based on the following.

Claim 7 depends from independent claim 6. As discussed above, claim 6 is not obvious with respect to either Ota or Kato, either singly or in combination. Also as discussed above, claim 6 recites an image lens device comprising an imaging lens system which **consists** of only two lens elements and an aperture stop.

As discussed above, claim 6 is not anticipated by Nakai. Further, as discussed above with respect to claim 6, Nakai neither discloses nor suggests an imaging lens system which **consists of two lens elements and an aperture stop**. Thus, claim 6 is not obvious with respect to Nakai.

Betensky **does not** disclose or suggest an imaging lens system which consists of only two elements and an aperture stop. Moreover, there is no motivation or suggestion to combine the two references, nor would such a combination provide the device of claim 6. Thus, claim 6 is not obvious with respect to Nakai or Betensky, either singly or in combination.

As claim 7 depends from non-obvious independent claim 6, it too is not obvious with respect to Nakai or Betensky, either singly or in combination.

Accordingly, it is respectfully requested that the rejection of claim 7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakai as applied to claim 6 above, and further in view of Betensky, be reconsidered and withdrawn.

The rejection of claims 11-15, 18 and 19 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Okuyama in view of Uryu, is respectfully traversed based on the following.

Claim 11 requires that the imaging lens system **consist of** two lens elements and an aperture stop. Both Okuyama and Uryu disclose an imaging lens system having more than two lens elements. Neither reference discloses or suggests an imaging lens system consisting of two lens elements and an aperture stop. Thus, claim 11 is not obvious with respect to either Okuyama or Uryu, either singly or in combination. As claims 12-15 depend from non-obvious independent claim 11, they too are not obvious with respect to either Okuyama or Uryu, either singly or in combination.

Claim 18 requires that the imaging lens system **consist of** two lens elements and an aperture stop. Both Okuyama and Uryu disclose an imaging lens system having more than two lens elements. Neither reference discloses or suggests an imaging lens system **consisting of two lens elements and an aperture stop**. Thus, claim 18 is not obvious with respect to Okuyama or Uryu, either singly or in combination. As claim 19 depends from non-obvious independent claim 18, it too is not obvious with respect to either Okuyama or Uryu, either singly or in combination.

Accordingly, it is respectfully requested that the rejection of claims 11-15, 18 and 19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okuyama in view of Uryu, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment increases the number of independent claims by 4 from 5 to 9 and increases the total number of claims by 4 from 19 to 23 (20 previously paid for), but does not present any multiple dependency claims. Accordingly, a Response Transmittal and Fee Authorization form authorizing the amount of \$390.00 to be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's
Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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